

**Review of the Lower Manhattan Construction Command Center
Air Quality Monitoring Plan**

U.S. Environmental Protection Agency Region 2 Comments

May 13, 2005

A. General Comments:

Region 2 of the U.S. Environmental Protection Agency does not agree that the program purpose as stated in the document. The program purpose should not be limited to providing feedback to construction managers, but is also to provide assurances to the community that every reasonable step is being taken to protect their health – consistent with the Governor's commitment. We also don't agree that we can definitively say the recovery projects do not have the potential to cumulatively effect neighborhood-scale levels of lead and asbestos.

The air sampling plan provides for sampling thru the end of 2008. EPA highly recommends that the monitoring continue until 2010 to capture additional planned extensive development. EPA also highly recommends that air toxics monitoring be included to address potential community concerns.

We realize that this is more of a scoping document, but there are many unanswered questions: specific sites will need to be identified, and quality assurance/ quality control procedures will need to be identified, and action levels will need to be proposed. EPA also highly recommends that provisions be made for making the data readily available to the public (i.e. posted on web site,

B. Specific Comments:

Program Purpose (Page 1)

(1) In addition to assisting the Lower Manhattan Construction Command Center (LMCCC) in providing construction oversight and providing information with respect to mitigation measures and their effectiveness, the program purpose would be to:

- provide assurances to the community that every reasonable step is being taken to ensure their health and that a public health problem does not exist
- provide additional assurances, in addition to the any modeling done in support of the EIS's and conformity determination , that the lower Manhattan federally funded construction projects will not adversely impact NAAQS compliance

(2) While the stated purpose of the program is to monitor the construction of Lower Manhattan recovery projects, we do not agree with the following statement:

In fact, the program has been developed with the specific intent of monitoring the construction of the Lower Manhattan recovery projects and, therefore, should not be used to augment, replace or usurp the data provided by New York State Department of Environmental Conservation's (NYSDEC) SLAMS network.

Under certain circumstances, specified in 40 CFR Part 58, Appendix D, the data from a special purpose monitor would not be exempt from NAAQS comparisons. Section 2.8.1.2.2 states in part: "After this time, any SPM that records a violation of the PM 2.5 NAAQS must be seriously considered as a potential SLAMS site during the annual SLAMS network review in accordance with section 58.25 " SPMs are exempt only for the first 2 years of their operation for comparison with the PM 2.5 NAAQS.

Program Overview (Page 2)

- (3) EPA was previously asked by the Executive Director of the LMCCC to identify air toxics which would be of potential concern to the community. EPA highly recommends that air toxics are included in the air monitoring program. EPA recommends that monitoring include asbestos, lead, and Man-Made Vitreous Fibers (MMVF) in accordance with our previous recommendations.
- (4) EPA also highly recommends that chemical speciation of collected particulate matter be performed to assist with identification of contributing sources.
- (5) EPA highly recommends that a TEOM be stationed at all monitoring locations, and that the FRM monitors at one of the TEOM locations on an annual basis.
- (6) We do not agree with the following statement:

Therefore, the recovery projects do not have the potential to cumulatively affect neighborhood-scale levels of these pollutants (i.e. referring to lead and asbestos) since the majority of the reconstruction effort involves constructing rather than demolition.

We recommend avoid making definitive statements such as these. The Fulton Street project includes a large demolition component, and there will be extensive related work involving utilities which may contain lead and asbestos material. We agree that the potential is low that community air monitors would be effected.

Data Reporting and Analysis (Page 5)

- (7) EPA recommends also reporting a "rolling average" in addition to the 30 day averages; first, second, and highest 24 hour averages; and the number of and magnitude of threshold exceedances.

- (8) EPA highly recommends making the data available to the general public as soon as practicable and should include posting on a publicly available web site.